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13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 UNITED STATES OF AMERICA,

16 Plaintiff,

v.

17 RICHARD FRED DITTMER II,

18 Defendants.

19 Case No. 2:18-cr-00302-JAD-NJK

20 **STIPULATION TO CONTINUE
MOTION DEADLINES**
(Eighth Request)

21 IT IS HEREBY STIPULATED AND AGREED, by and between
22 Nicholas A. Trutanich, United States Attorney, and Bianca R. Pucci, Assistant United
23 States Attorney, counsel for the United States of America, and Rene L. Valladares,
24 Federal Public Defender, and Margaret W. Lambrose, Assistant Federal Public Defender,
25 counsel for Richard Fred Dittmer II, that the pretrial motion and notices of defense currently
26 due June 22, 2020 be vacated and continued to July 24, 2020

IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they
shall have to and including August 7, 2020, to file any and all responsive pleadings.

IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they
shall have to and including August 14, 2020, to file any and all replies to dispositive motions.

1 The Stipulation is entered into for the following reasons:

2

3 1. Defense counsel needs additional time to review discovery and investigate

4 defenses.

5 2. Defendant Richard Dittmer, II is not incarcerated and does not object to the

6 continuance.

7 3. The parties agree to the continuance.

8 4. The additional time requested herein is not sought for purposes of delay.

9 5. Additionally, the time requested by this Stipulation is excludable in computing

10 the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title

11 18, United States Code, Section 3161(h)(7)(A) and considering the factors under Title 18,

12 United States Code, Section 3161(h)(7)(B)(i) and (iv).

13 This is the eighth stipulation to continue filed herein.

14 DATED this 22nd day of June, 2020.

15 RENE L. VALLADARES
Federal Public Defender

16 /s/ *Margaret W. Lambrose*
By _____
17 MARGARET W. LAMBROSE
18 Assistant Federal Public Defender
19 Attorney for Richard Fred Dittmer, II

20 NICHOLAS A. TRUTANICH
United States Attorney

21 /s/ *Bianca R. Pucci*
By _____
22 BIANCA R. PUCCI
23 Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
RICHARD FRED DITTMER II,
Defendants.

Case No. 2:18-cr-00302-JAD-NJK

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Defense counsel needs additional time to review discovery and investigate defenses.

2. Defendant Richard Dittmer, II is not incarcerated and does not object to the continuance.

3. The parties agree to the continuance.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for defendant sufficient time within which to be able to effectively and complete investigation of the discovery materials provided.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A) and considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i) and (iv).

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section § 3161 (h)(7)(A).

ORDER

IT IS THEREFORE ORDERED that the parties herein shall have to and including July 24, 2020 to file any and all pretrial motions and notice of defense.

IT IS FURTHER ORDERED that the parties shall have to and including August 7, 2020 to file any and all responses.

IT IS FURTHER ORDERED that the parties shall have to and including August 14, 2020 to file any and all replies.

DATED this 29th day of June, 2020.

Nunc Pro Tunc: June 22, 2020.

UNITED STATES DISTRICT JUDGE